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ABSTRACT

This unit focuses on the school integration case of Brown v. Board of Education of Topeka (Kansas), and its immediate aftermath. The Supreme Court's 1954 decision was a catalyst for civil rights activism along a broad front over the ensuing decades. The decision and its implementation have stood as a model for similar social and political action among white middle class women, Latinos, and Native Americans. The unit presents the desegregation case as a dramatic moment in history from which to explore the deeper meanings of a selected landmark event and its wider context in the historical narrative. By studying a crucial turning point in history, the student becomes aware that choices had to be made by real human beings, that those decisions were the result of specific factors, and that they set in motion a series of historical consequences. The unit contains teacher background materials and lesson plans with student resources. The teacher background section provides an overview of the entire unit and historical information and context necessary to link the Brown case to the larger historical narrative of school desegregation, racial relationships, and civil rights. The unit consists of two lessons: (1) the case of Linda Brown; and (2) the Brown case and its impact on the civil rights movement. Primary and secondary documents for lesson 1 include the case facts for Brown v. Board, Chief Justice Earl Warren's delivery of the opinion of the Court, the reaction of the North Carolina legislature to the U.S. Supreme Court ruling, and 2 private letters. The second lesson discusses the Brown case as a challenge to federalism. (DK)

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STRIDE TOWARD FREEDOM: THE AFTERMATH OF *BROWN v. BOARD OF EDUCATION OF TOPEKA*

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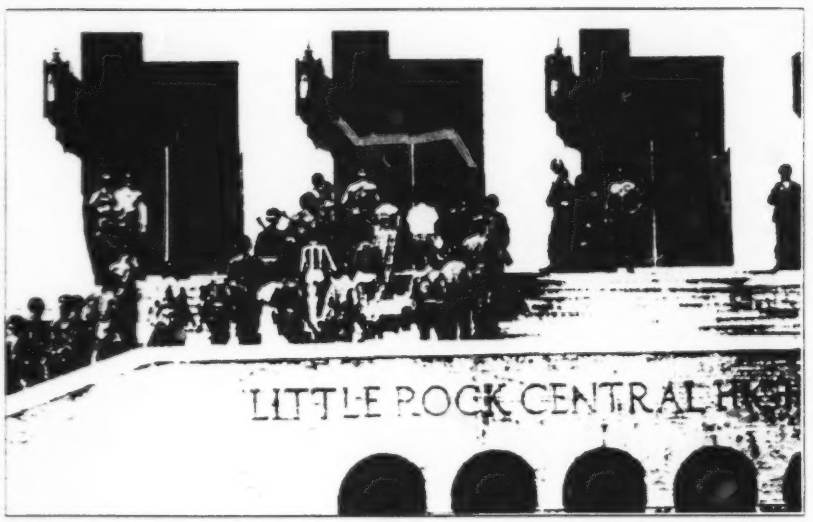
A UNIT OF STUDY FOR GRADES 9- 12

By Bill Fauver
&
Jim Ruderman
Teacher Associates, NCHS



National Guardsmen, along with federal troops, escorted black students enabling them to attend class in 1957 at Little Rock, Arkansas.

NATIONAL CENTER FOR HISTORY IN THE SCHOOLS
A Cooperative Research Program of the
University of California, Los Angeles
and the National Endowment for the Humanities

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Finally, we acknowledge the continuing contributions of the National Endowment for the Humanities which established the National Center for History in the Schools in March 1988 and has generously supported this activity.

For information on additional teaching units and other resources from the Center, please write:

National Center for History in the Schools
University of California, Los Angeles
Moore Hall 231, 405 Hilgard Avenue
Los Angeles, CA 90024-1521

APPROACH AND RATIONALE

By Linda Symcox

The National Center for History in the Schools has developed the following collection of lessons for teaching **Stride Toward Freedom: The Aftermath of *Brown v. Board of Education of Topeka, Kansas***. Our units are the fruit of a year-long collaboration between history professors and experienced teachers of both United States and World History. They represent specific "**dramatic moments**" in history from which you and your students can pause to delve into the deeper meanings of selected landmark events and explore their wider context in the great historical narrative.

In our approach, the continuing narrative provides the context in which the dramatic moment is situated. By studying a crucial turning-point in history, the student becomes aware that choices had to be made by real human beings, that those decisions were the result of specific factors, and that they set in motion a series of historical consequences. We have selected dramatic moments that best bring alive that decision-making process. We hope that through this approach, your students will realize that history is an ongoing, open-ended process, and that the decisions they make today create the conditions of tomorrow's history.

Our dramatic moments are based on **primary sources**, taken from documents, artifacts, journals, diaries, newspapers and literature from the period under study. As you know, a primary source is a **first-hand** account of any event in history. For example, the telecast or the script of a speech would be a primary source. A secondary source is a **second-hand** account of an event. This would be, for example, the newspaper account of the speech the next day or a newscaster's report about the speech. All

historical accounts, such as textbooks, are by their very nature secondary sources. What we hope to achieve using primary source documents in these lessons is to remove the distance that students feel from historical events and to connect them more intimately with the past. In this way we hope to re-create for your students a sense of "being there," a sense of seeing history through the eyes of the very people who were making decisions. This will help your students develop historical empathy, to realize that history is not an impersonal process divorced from real people like themselves. At the same time, by analyzing primary sources, students will actually practice the historian's craft, discovering for themselves how to analyze evidence, establish a valid interpretation and construct a coherent narrative in which all the relevant factors play a part.

CONTENT AND ORGANIZATION

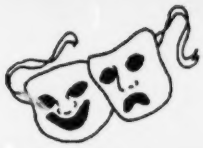
Within this unit, you will find: 1) **Teacher Background Materials** and 2) **Lesson Plans** with **Student Resources**. This unit, as we have said above, focuses on certain key moments in time and should be used as a supplement to your customary course materials. We have chosen to pitch the various lessons on different grade levels and they can usually be adapted to a slightly higher or lower level.

The **Teacher Background** section should provide you with a good overview of the entire unit and with the historical information and context necessary to link the specific **Dramatic Moment** to the larger historical narrative. You may consult it for your own use, and you may choose to share it with students if they are of a sufficient grade level to understand the materials.

The **Lesson Plans** include a variety of ideas and ap-

proaches for the teacher which can be elaborated upon or cut as you see the need. These lesson plans contain student resources which accompany each lesson. These resources consist of primary source documents, any handouts or student background materials, and in many cases, a bibliography for the unit.

In our series of teaching units, each collection can be taught in several ways. You can teach all of the lessons offered on any given topic, or you can select and adapt the ones that best support your particular course needs. We have not attempted to be comprehensive or prescriptive in our offerings, but rather to give you an array of enticing possibilities for in-depth study, at varying grade levels. We hope that you will find the lesson plans exciting and stimulating for your classes. We also hope that your students will never again see history as a boring sweep of inevitable facts and meaningless dates but rather as an endless treasure of real life stories, and an exercise in analysis and reconstruction, rather than rote memorization.



THE EDUCATION OF LINDA BROWN

In 1872, Harriet Ward attempted to enroll her eleven year old daughter, Mary, in San Francisco's Broadway Grammar School. Her parents had lived in San Franciso for thirteen years and were citizens of the United States and the state of California. Mr. Flood, the principal of the school, denied Mary admission. Under the policies of the Board of Education, he explained, he could not allow Mary to sit in her classes. Instead, she would have to go to a separate school reserved for children of African or Indian descent in accordance with Section 117 of the School Code of San Francisco. The section read as follows:

> *"Children of African or Indian descent shall not be admitted into schools for white children, but separate schools shall be provided for them in accordance with the California School Law."*

In 1952, Linda Brown would face a principal much like Flood, a school district as unyielding, and a Kansas state legislature as unwilling as California's had been 80 years before. Linda had been turned away from her neighborhood school, literally forced to travel "across the tracks" in order to attend the public school for children of her race. Had so little changed in America? Linda resisted. Her struggle and that of her parents against segregated education would lead her to the doors of the United States Supreme Court, where this time, she would be admitted.

An integrated kindergarten class at Oliver Cromwell School prepares for the pledge of allegiance.

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II. UNIT OVERVIEW AND RATIONALE

The unit will focus on the case of *Brown v. Board of Education of Topeka* and its immediate aftermath. For over 50 years, African Americans were haunted by the case of *Plessy v. Ferguson* and its affirmation of segregation. In 1954, the United States Supreme Court, under the leadership of Chief Justice Earl Warren, heard the case of a girl denied admission to a public school in Kansas. The Court's decision in this case overturned *Plessy* and encouraged the civil rights movement, which vied for the hearts and minds of individual Americans and a place in the political arena. After studying the case, your students will journey back in time, examining the reactions of individuals and the government to the orders stated in *Brown*.

The Supreme Court's 1954 decision in *Brown v. Board of Education of Topeka* was a catalyst for civil rights activism along a broad front over the ensuing decades. From public education to employment, from trains to lunch counters, the era had seen the effects of gains in the African American community. The decision and its implementation have stood as a model for similar social and political action among white middle-class women, Latinos, and Native Americans.

III. UNIT CONTEXT

This unit can be approached in a variety of ways. In a chronological setting, it can easily be an important section of any discussion of the 1950's. It will lay the foundation for the movement which gained adherents and power in the 1960's. In a thematic setting, this unit fits nicely as a continuation of material following *Plessy v. Ferguson*. Referring back to the *Plessy* case will give students a proper context for considering the *Brown* case,

and it will help them appreciate the long struggle black Americans have gone through and continue to go through today.

IV. INTRODUCTION TO STRIDE TOWARD FREEDOM: THE AFTERMATH OF *BROWN v. BOARD OF EDUCATION OF TOPEKA*

The Great Depression had been combatted with policies that were racially discriminatory, and Americans fought World War II with segregated armed forces. African Americans became increasingly militant in the 1940's in the face of these continuing signs of deep institutional racism. The disgust of many Americans with the racist policies of the Germans under Hitler helped them to see the racist structure of American society. The main thrust of the movement for equal rights was byAfrican Americans, however, who had to fight for every inch of ground they recovered from three centuries of racism. The trend toward judicial support of civil rights had begun in the late 1930's when the NAACP established its Legal Defense Fund led by Thurgood Marshall, who in 1967 would become the first African-American jurist on the Supreme Court. Activists pushed hard in the 1940's, organizing the Congress of Racial Equality (CORE) in 1942, for example. This group's aim was to take direct action to end discrimination, tactics that looked back to Homer Plessy's defiant action in 1894 and forward to the CORE "Freedom Riders" in 1961, who traveled the South to challenge segregation policies in interstate transportation.

President Truman responded to the growing importance of African American's votes by demanding a federal law against lynching (a long-standing demand), and submitting a civil rights program to Congress in 1948. This split the Democratic party by forcing angry white Southerners to bolt. He then issued executive orders that barred discrimination in federal hiring and required integration of the armed forces.

The movement to desegregate the schools was an initiative by African Americans. After the Supreme Court's decision in the Brown case that separate educational facilities were inherently unequal and its order to integrate *"with all deliberate speed,"* the South resisted. President Eisenhower disapproved of the Court's decision but moved quickly to implement it by desegregating public schools in Washington D. C. In 1955, a black woman named Rosa Parks refused to yield her seat on a bus in Montgomery, Alabama to a white person, as ordered by the driver after the white section was filled. When she was arrested, blacks organized a mass boycott of the bus system. A young leader named Martin Luther King, Jr., one of the organizers, was arrested for the first time. Tension increased as many white Southerners became more angry. In Little Rock, Arkansas, whites violently resisted school integration, and the president ordered federal troops to the scene to protect African Americans. Similiar violent confrontations followed in other states.

Meanwhile, Texas Senator Lyndon B. Johnson shepherded through Congress the Civil Rights Act of 1957, which required the Justice Department to defend in court the right of all citizens to vote. It was the first of several acts that was used by African Americans to regain the vote in the 1960's.

V. LESSON PLANS

1. The Case of Linda Brown

2. The Brown Case and its Impact on the Civil Rights Movement

LESSON ONE

THE CASE OF LINDA BROWN

A. Objectives

1. To identify and analyze the major Constitutional issues in *Brown*.

2. To critique the Supreme Court's ruling in *Brown*.

B. Lesson Activities

1. The lesson can be opened with the **DRAMATIC MOMENT.**

2. Pass out **DOCUMENT A,** the facts of the *Brown* case.

   a. Divide the class into groups of three to five students. Inform the students that they will read the facts of the case, make a judgement on the situation, and support it with reasoning drawn from their knowledge of the Constitution. Particular attention should be paid to the Fourteenth Amendment, which has been reproduced for them.

   b. Have the students, in their groups, write up their decision with reasons why they came to the conclusions they did. (Total time for this section should be no more than 15-20 minutes.)

   c. Enter into a discussion on the students' conclusions. Insure that they have used the Fourteenth Amendment in reaching their respective decisions.

3. Pass out **DOCUMENT B,** "Chief Justice Earl Warren's Delivery of the Opinion of the Court," and lead a discussion with the students that addresses

the following questions:

a. In light of what the Court had previously ruled in *Plessy v. Ferguson*, under what authority were they able to reach an opposite conclusion in *Brown*?

b. Is the inconsistency on the part of the Supreme Court in the cases of *Plessy* and *Brown* desirable? Should the Court be influenced by changing social conditions?

c. It is one thing to overturn, quite another to implement. What does Earl Warren's opinion stating that the Brown ruling should be implemented with *"...all deliberate speed"* mean to you?

d. How does Chief Justice Warren's reasoning compare with your group's reasoning?

4. Pass out **DOCUMENT C**, "The Reaction of the North Carolina Legislature...," and **WORKSHEET I**, the "Document Analysis ."

a. Explain to the students that **DOCUMENT C** is an immediate reaction from North Carolina. Ask them to make predictions regarding what North Carolina's response might be. Why do they think North Carolinians believe this way?

b. Read the short indented segment of the document which summarizes the feeling of the North Carolina legislature.

c. Have students begin to complete **WORKSHEET I**.

5. Homework Assignment:

a. Pass out **DOCUMENTS D**, "W.D. Lawson's Let-

ter to General Clay"and E, "Pedro Dummitt's Letter to President Eisenhower."

b. Pass out a copy of **WORKSHEET I** for use with each document. Have them complete this for tomorrow's session.

C. Evaluating The Lesson

Class discussion will provide an opportunity to check for understanding.

STUDENT RESOURCE: DOCUMENT A

BROWN v. BOARD OF EDUCATION OF TOPEKA (1954)
CASE FACTS
(Secondary Source)

The *Plessy v. Ferguson* decision of 1896 gave legal sanction to the "separate but equal" doctrine.

"Separate but equal" was always separate, but it was almost never equal. "Separate but equal" laws hit blacks in every part of their lives. Men and women were forced to sit in the back of public buses,wait in separate rooms in train stations, and even use separate drinking fountains. Most important, these laws made segregated education the prevailing pattern.

In the twentieth century, these men and women refused to be held down. Some moved from farms to cities. Others moved from the South to the North. Many began to earn more money than before at jobs in factories. Some achieved fame as writers, musicians, or athletes. Others became lawyers and doctors.

By the 1950's, while some gains were made, African Americans still suffered because of "Jim Crow" laws. They began to form groups to take their cause into the courts. The most important case for them in the twentieth century came in 1954. It was called *Brown v. Board of Education of Topeka*. Let's investigate this key case.

> On school mornings, Linda Brown would wake up early. She had to get up earlier than most of the kids in her neighborhood because even though there was a grade school just five blocks from Linda's house, that school was for white children only. Linda had to take a bus that would carry her twenty-one blocks to the school for black children. This was because Kansas law allowed segregated schools.
>
> Linda's parents were angry about this situation. They took their case to a federal court in Topeka. They said that the school that Linda was forced to attend because of her race was not as good as the school in her own neighborhood, which was predominantly white. The black school's building was old. The classrooms were crowded, and there weren't enough teachers.

Mr. and Mrs. Brown claimed that their daughter had been denied the "equal protection of the laws" promised by the Fourteenth Amendment. They argued that schools could never be equal so long as they were separate. They argued that segregated schools were harmful to black children. The only cure was to end all segregation.

The federal court in Topeka ruled against the Browns. This court maintained that separate schools reflected community values and that the mixing of races in public schools would "alienate public support of the schools."

Linda's parents took their case to the Supreme court.

STUDENT RESOURCE: DOCUMENT B

CHIEF JUSTICE EARL WARREN'S DELIVERY OF THE OPINION OF THE COURT
(Primary Source)

AMENDMENT XIV

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Amendment XIV, Section I, U.S. Constitution [1868]

Brown v. Board of Education of Topeka
347 U.S. 483; 74 S. Ct. 686; 98 L.Ed. 873 (1954)

This case from Kansas was decided along with companion cases from South Carolina, Virginia, and Delaware. All of the cases involved the same basic question—admission to public schools on a non-segregated basis. The Negro children involved were of elementary or high school age or both. The segregation provisions were on a state constitutional or statutory basis except in Kansas where there were only statutory provisions. The question for the Court to decide was whether segregation of children in public schools solely on the basis of race is forbidden under the equal protection provision of the Fourteenth Amendment even though the physical facilities and other "tangible" factors might be equal for both whites and Negroes. Vote: 9-0.

Mr. Chief Justice Warren delivered the opinion of the Court:

...In the first cases in this Court construing the Fourteenth Amendment, decided shortly after its adoption, the Court interpreted it as proscribing all state-imposed discriminations against the Negro

race. The doctrine of "separate but equal" did not make its appearance in this Court until 1896 in the case of Plessy v. Ferguson involving not education but transportation. American courts have since labored with the doctrine for over half a century. In this Court, there have been six cases involving the "separate but equal" doctrine in the field of public education. In Cumming v. Board of Education of Richmond County 175 U.S. 528, and Gong Lum v. Rice, 275 U.S. 78, the validity of the doctrine itself was not challenged. In more recent cases, all on the graduate school level, inequality was found in that specific benefits enjoyed by white students were denied to Negro students of the same educational qualifications. State of Missouri ex rel. Gaines v. Canada, 305 U.S. 337; Sipuel v. Board of Regents of University of Oklahoma, 332 U.S. 631; Sweatt v. Painter, 339 U.S. 629; McLaurin v. Oklahoma State Regents, 339 U.S. 637. In none of these cases was it necessary to reexamine the doctrine to grant relief to the Negro plaintiff. And in Sweatt v. Painter the Court expressly reserved its decision on the question whether Plessy v. Ferguson should be held inapplicable to public education.

In the instant cases, that question is directly presented. Here, unlike Sweatt v. Painter, there are findings below that the Negro and white schools involved have been equalized, or are being equalized, with respect to buildings, curricula, qualifications and salaries of teachers, and other "tangible" factors. Our decision, therefore, cannot turn on merely a comparison of these tangible factors in the Negro and white schools involved in each of the cases. We must look instead to the effect of segregation itself on public education.

In approaching this problem, we cannot turn the clock back to 1868 when the Amendment was adopted, or even to 1896 when Plessy v. Ferguson was written. We must consider public education in the light of its full development and its present place in American life throughout the Nation. Only in this way can it be determined if segregation in public schools deprives these plaintiffs of the equal protection of the laws.

Today, education is perhaps the most important function of state and

local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide, is a right which must be made available to all on equal terms.

We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does.

In Sweatt v. Painter, in finding that a segregated law school for Negroes could not provide them equal educational opportunities, this Court relied in large part on "those qualities which are incapable of objective measurement but which make for greatness in a law school." In McLaurin v. Oklahoma State Regents, the Court, in requiring that a Negro admitted to a white graduate school be treated like all other students, again resorted to intangible considerations: "...his ability to study, to engage in discussions and exchange views with other students, and, in general, to learn his profession." Such considerations apply with added force to children in grade and high schools. To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. The effect of this separation on the educational opportunities was well stated by a finding in the Kansas case by a court which nevertheless felt compelled to rule against the Negro plaintiffs:

STUDENT RESOURCE: DOCUMENT B

> ***"Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to retard the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racially integrated school system." Whatever may have been the extent of psychological knowledge at the time of Plessy v. Ferguson, this finding is amply supported by modern authority. Any language in Plessy v. Ferguson, contrary to this finding is rejected.***
>
> ***We conclude that in the field of public education the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment. This disposition makes unnecessary any discussion whether such segregation also violates the Due Process Clause of the Fourteenth Amendment...."***

In 1955, the Court handed down a second decision (*Brown v. Board*, 349 U.S. 294) to implement the carrying out of its original decision. It ordered lower courts (and officials) to "take such proceedings and enter such orders...necessary and proper to admit to public schools on a racially non discriminatory basis with all deliberate speed the parties to these cases...."

Brown v. Board of Education of Topeka 347 U.S. 483; 74 S. Ct. 686; 98 L.Ed. 873 (1954)

STUDENT RESOURCE: DOCUMENT C

REACTION OF THE NORTH CAROLINA LEGISLATURE TO THE COURT'S RULING ON *BROWN v. BOARD*
(Primary Source)

A JOINT RESOLUTION STATING THE POLICY OF THE STATE OF NORTH CAROLINA WITH REFERENCE TO THE MIXING OF THE CHILDREN OF DIFFERENT RACES IN THE PUBLIC SCHOOLS OF THE STATE, AND CREATING AN ADVISORY COMMITTEE ON EDUCATION.

WHEREAS, Governor William B. Umstead, shortly before his death, appointed a Special Advisory Committee on Education, composed of outstanding citizens of our State of both races, to study the difficult and far-reaching problems presented by the May 17, 1954, decision of the Supreme Court of the United States on the question of segregation in the public schools, and our present Governor, Honorable Luther H. Hodges, recommissioned that Committee soon after assuming the duties of Governor of North Carolina, and said Committee filed its report with the governor on December 30, 1954, which report stated, among other things, the following:

> "The mixing of the races forthwith in the public schools throughout the state cannot be accomplished and should not be attempted. The schools of our state are so intimately related to the customs and feelings of the people of each community that their effective operation is impossible except in conformity with community attitudes. The Committee feels that the compulsory mixing of the races in our schools, on a statewide basis and without regard to local conditions and assignment factors other than race, would alienate public support of the schools to such an extent that they could not be operated successfully." and

WHEREAS, his Excellency, the Governor of North Carolina, has transmitted the report of this Special Committee to this General Assembly recommending it as the policy for this State to follow, and

WHEREAS, the Attorney General of the State of North Carolina has filed a brief with the Supreme Court of the United States in the pending segregation

cases before said court, which brief states, among other things, the following:

> "The people of North Carolina know the value of the public school. They also know the value of a social structure in which two distinct races can live together as separate groups, each proud of its own contribution to society and recognizing its dependence upon the other group. They are determined, if possible, to educate all of the children of the State. They are also determined to maintain their society as it now exists with separate and distinct racial groups in the North Carolina community.
>
> The people of North Carolina firmly believe that the record of North Carolina in the field of education demonstrates the practicability of education of separate races in separate schools. They also believe that the achievements of the Negro people of North Carolina demonstrate that such an educational system has not instilled in them any sense of inferiority which handicaps them in their efforts to make lasting and substantial contributions to their state."

NOW THEREFORE, be it resolved by the House of Representatives, the Senate concurring:

Section 1. That the report of the Governor's Special Advisory Committee on Education and the brief of the Attorney General of North Carolina, filed in the Supreme Court of the United States in the pending segregation cases, are hereby approved as a declaration of the policy of the State of North Carolina with respect to the serious problems in public education created by the opinion of the Supreme Court of the United States handed down on May 17, 1954.

Section 2. That the mixing of the races in the public schools within the State cannot be accomplished and if attempted would alienate public support of the schools to such an extent that they could not be operated successfully.

File 8/1 No. 55, 629, box 2, 1954, Records of The Supreme Court of the United States, RG 267.

STUDENT RESOURCE: WORKSHEET I

DOCUMENT ANALYSIS

I. Type of Document: (Check one)

____ Newspaper	____ Map	____ Advertisement
____ Letter	____ Telegram	____ Congressional Record
____ Patent	____ Press Release	____ Census Report
____ Memorandum	____ Report	____ Other

II. Unique Physical Qualities of the Document:

____ Interesting Letterhead	____ Notations
____ Handwritten	____ "Received" Stamp
____ Typed	____ Other
____ Seals	

III. Date(s) of document: _____

Position (Title): _____

IV Author (or creator) of the document: _____

V. For what audience was the document written? _____

VI. Document information: (There are many possible ways to answer A-E.)

A. List three things the author said that you think are important:

1. _____

2. _____

3 _____

B. Why do you think this document was written?

C. What evidence in the document helped you to know why it was written? Quote from the document.

D. List **two** things the document tells you about life in the United States at the time it was written.

E. Write a question to the author which is left unanswered by the document.

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STUDENT RESOURCE: DOCUMENT D

W.D. LAWSON'S LETTER TO GENERAL CLAY, JANUARY 21, 1956
(Primary Source)

COPY

January 21st, 1956

General Lucius D. Clay
Citizens for Eisenhower
45 East 47th Street
New York 17, New York

Dear General Clay:- yuF 138-C-6

I am in receipt of your letter of January 17th regarding the reactivation of "The Citizens for Eisenhower" movement. It is true that many of us in the South contributed a good deal of our time and money to the election of President Eisenhower in 1952. It was our thought by so doing we would revert to our original constitutional form of government. President Eisenhower and his Attorney General have pressed for changes in the educational system of our section, which many of us think are as unconstitutional as anything done under the new deal. I think I speak for many of President Eisenhower's former followers when I say that the central government in Washington has no authority to tell us who shall, or who shall not, attend the schools which have been erected and whose teachers are paid wholly by the citizens of this state.

Being an independent voter, I had hoped that the large vote cast for President Eisenhower in the South presaged a two party system for it. The complete disregard of states rights by the present administration, in my opinion, has killed all chances of this improvement in our political situation.

While many of us still hold President Eisenhower in the highest esteem, and shall vote for him, you may be sure that the above facts have cooled our enthusiasm considerably. I am sorry that I cannot associate myself wholeheartedly with another movement seeking his reelection.

Very truly yours,

yuF 142-A
yuF 142-A-4

W. D. Lawson

Accession 134-74-7, carton 3, general file #1, Records of the Interstate Commerce Commission, RG 134.

PEDRO DUMMITT'S LETTER TO PRESIDENT EISENHOWER, MARCH 18, 1960

(Primary Source)

60 E. 135th st.
New York 37, N.Y.
March 18, 1960

Dear President Eisenhower,

I suppose you know about the Negroes in the South, and what a hard time they are having with whites students and eating at lunch counters. It seems as if you and the southern governments are not taking action on this situation.

If you were a Negro you wouldn't want this trouble to come upon you. According to the the Constitution everyone has their privilege to eat at lunch counters. No matter what race they're in. And this is not so in the "South." It's almost

like there is slavery in the South.
To Negro Students. You are a good President but you aren't being as fair as a honorable President is. Another thing the missile race or program, is not too good either. What about the huge powered Jupiter - C. That is supposed to lead the way for The U.S? Will it be a success? The way it looks now, it seems as if we never will catch up with Russia.

Yours Truly
Pedro A. Dunsmith jr.

LESSON TWO

THE BROWN CASE AND ITS IMPACT ON THE CIVIL RIGHTS MOVEMENT

A. Objectives

1. To analyze *Brown* as a challenge to federalism.

2. To assess the immediate and long-lasting impact of the *Brown* decision on the relations between the sections, North and South, and on the political climate of the country.

3. To analyze the elements of the Civil Rights Act of 1957 that reflect divided national interests.

4. To evaluate the importance of President Kennedy's stance on the question of federal supremacy.

B. Lesson Activities

1. Lead a discussion which brings to light the fact that the opinions expressed in "The Reaction of the North Carolina Legislature" are a direct challenge to federal authority. Ask the students to compare this version of "states' rights" with what the Framers had in mind when they spoke of states' rights.

2. Discuss DOCUMENT D. The following questions may provide a framework from which you can work:

   a. What did Lawson hope would happen when he supported President Eisenhower in 1952?

   b. What events happened to cool his enthusiasm?

c. What might be meant by the following phrases?

1. *"Revert to our original constitutional form of government...."*
2. *"Pressed for changes in the educational system of our section...."*
3. *"Disregard of states' rights by the present administration...has killed all chances for this improvement in our political situation."*

3. Discuss **DOCUMENT E**. This letter represents the future. In discussing this try to bring out with the class what emotions are being played out here. What feelings does Pedro Dummitt, Jr. have regarding the movement of the nation toward racial equality. This letter is one of thousands of letters that the President received, yet the National Archives chose to keep this one. Why? How would you respond to this letter?

4. Homework Assignment:

a. Pass out **DOCUMENT F**, "Martin Luther King, Jr.'s Letter to Vice President Nixon" for reading.

b. Have the students complete **WORKSHEET II**, the "Document Analysis." They may have time to begin reading in class.

5. In class the following day, discuss the King letter. You may want to lead the discussion in directions which incorporate the following questions:

a. What did the Civil Rights Act do?

b. What weaknesses were inherent in the legislation?

c. Why did some Civil Rights leaders wish for no bill rather than the bill that emerged in 1957?

(This is a subtle letter. King is promising to mount a mass movement that could embarrass the Republican party and seriously affect their chances of capturing the White House again in 1960, depending on whether the Eisenhower administration supports King's movement. Until the time of this letter, the administration had been reluctant to directly support the implementation of *Brown*. Underlining in the document was done by Nixon himself or his secretary.)

6. In 1961 John F. Kennedy took the oath of office as the 35th President of the United States. Immediately, he was faced with the pressing problems in the area of race relations. **DOCUMENT G**, "Osceola Dawson's Letter to the Interstate Commerce Commission," illustrates the continued pervasiveness of discriminatory practices. Have the students read the document and in discussion answer the following questions:

a. What is the difference between interstate and intrastate and why does it matter?

b. Why do you think the waiting room signs distinguish between white and colored waiting rooms for intrastate passengers?

c. What action does Dawson want taken? By whom?

d. Why do you think Dawson refers to the 1954 U.S. Supreme Court decision?

When students have finished the discussion of Dawson letter, you may want to ask them how they believe the federal government would respond.

Teacher Instructions:

Before passing out **DOCUMENT H**, make sure that you explain to the students who James Meredith was. James Meredith was attempting to enter the University of Mississippi. Through a variety of means, the University administration denied him admission. Meredith sued the school in U.S. District Court, claiming he was denied admission because of his race. He lost at this level and appealed to the Circuit Court. The Fifth Circuit Court ordered Meredith be admitted, claiming that the University's admissions policies were inherently racist. Governor Barnett refused to comply with the Court's decision. This speech by President Kennedy, in which he states that nobody or no state will defy federal authority, was timed to coincide with Meredith's entering the university.

7. Divide the class into three discussion groups. Assign each group one of the following questions based on reading **DOCUMENT H**, "The Kennedy Speech," which followed the integration of the University of Mississippi under massive protection by state police.

   a. How does President Kennedy's speech reveal his responsibilities as President?

b. What Constitutional issues are addressed in his speech?

c. What persuasive techniques does Kennedy employ in this speech?

Discuss with the students the ideas they came up with in their groups.

8. As a conclusion to the lesson, you may want to discuss, based on Kennedy's response:

a. How this decision might affect the future of the Civil Rights Movement.

b. How might we expect the government to react in the future?

c. What role might the government play in fostering rights forAfrican Americans?

d. How might Kennedy's decision influence African Americans themselves?

e. How was Kennedy influenced by African American Activists?

f. What steps might they take to insure "equal protection"?

Remind students that the government once again was dealing with education. Why did it seem to be of such great concern? What other issues might now be addressed? Explain that the civil rights movement still had a long way to go.

MARTIN LUTHER KING JR.'S LETTER TO VICE PRESIDENT NIXON AUGUST 30, 1957

(Primary Source)

Martin Luther King, Jr.
309 South Jackson Street
Montgomery, Alabama

Minister
Dexter Avenue Baptist Church
454 Dexter Avenue

President
Montgomery Improvement
Association Inc.
530 South Union Street

August 30, 1957

Mr. Richard Nixon, Vice-President
The United States of America
Washington, D. C.

Dear Mr. Nixon:

For several weeks I have been intending to write you, but an extremely busy schedule has stood in my way. First I want to express my sincere appreciation to you for so graciously receiving me and my colleague Rev. Abernathy in your office during the month of June. I will long remember the rich fellowship which we shared together and the fruitful discussion that we had.

Since our meeting together many significant things have happened in the life of our nation, particularly in the realm of civil rights. Just this morning our local paper revealed that the compromised Civil Rights Bill was finally passed by the Senate. After considering all angles I have come to the conclusion that the present bill is far better than no bill at all. This limited bill still provides district judges with power to maintain order and to insist upon compliance with their orders. This could be a powerful incentive in changes in behaviour and attitude. I realize that many sincere leaders, both Negro and white, feel that no bill is better than the present bill, and that since we have waited this long for civil rights legislation we can afford to wait an additional year to get stronger legislation in this area. While I sympathize with this point of view, I feel that civil rights legislation is urgent now, and the present limited bill will go a long way to insure it. So it is my hope that the President will not veto the bill.

It is also my firm conviction that the full effect of the Civil Rights Bill will depend in large degree upon the program of a sustained mass movement on the part of Negroes. History has demonstrated that inadequate legislation supported by mass action can accomplish more than adequate legislation which remains unenforced for the lack of a determined mass movement. This is why I am initiating in the south a crusade for citizenship in which we will seek to get at least two million Negroes registered in the south for the 1960 elections. With the enthusiasm that we hope to kindle and the aid of the Civil Rights Bill this should not be difficult.

Mr. Nixon ... Aug. 30, 1957 ...P.2.

Let me say before closing how deeply grateful all people of goodwill are to you for your assiduous labor and dauntless courage in seeking to make the Civil Rights Bill a reality. This has impressed people all across the country, both Negro and white. This is certainly an expression of your devotion to the highest mandates of the moral law. It is also an expression of your political wisdom. More and more the Negro vote is becoming a decisive factor in national politics. The Negro vote is the balance of power in so many important big states that one almost has to have the Negro vote to win a presidential election.

Again, let me thank you for your hospitality and generosity. You have my prayers and best wishes for the great work that you are doing in making our democracy a living reality. With persons like you occupying such important positions in our nation I am sure that we will soon emerge from the bleak and desolate midnight of man's inhumanity to man to the bright and glittering daybreak of freedom and justice for all men.

Please extend my best regards to Mrs. Nixon and our other friends around the White House.

Very sincerely yours,

Martin Luther King

Martin Luther King, Jr.,
Minister

MLK:mlb

P.S. At your earliest convenience I hope you will see your way clear to speak to the President concerning the conference that we discussed. It was a real pleasure talking with you by telephone the other day.

STUDENT RESOURCE: DOCUMENT G

OSCEOLA DAWSON'S LETTER TO THE INTERSTATE COMMERCE COMMISSION, APRIL 13, 1961

(Primary Source)

WEST KENTUCKY VOCATIONAL SCHOOL
1400 Thompson Avenue
Paducah, Kentucky

APR 26 '61 757478

APR 20 5 09 PM 1961

INTERSTATE COMMERCE COMMISSION
APR 13, 1961
RECEIVED
APR 24 1961
BUREAU OF INQUIRY AND COMPLIANCE
OFFICE OF THE DIRECTOR

Chairman
Interstate Commerce Commission
Washington 25, D. C.

Dear Sir:

On traveling through the states of Louisiana, Mississippi, Tennessee, one observes signs on the waiting rooms as follows:

Colored Waiting Rooms Intrastate Passengers

White Waiting Rooms Intrastate Passengers

According to the signs, there is no waiting room (either White or Negro) for Interstate Passengers.

These signs are more ridiculous and more confusing than the original "White and Colored Room" signs. The intention of such foolish signs is quite obvious. They are intended to do just what they are doing, confuse the issue and evade the law. The whole thing boils down to segregated waiting rooms, which is contrary to your ruling. It seems to me if the Interstate Commerce Commission or other agencies of the Federal Government concerned with the problem really wanted to do the right thing, it (or they) would force all ethnic signs removed, partitions torn away and only the sign "Waiting Room."

Too, I do not see how morally or legally your department can continue to permit segregated lunch counters at bus and railway terminals under the guise that they are operated by private companies. How can anything so public as a lunch counter in a bus station be a private concern?

It has now been approximately seven years since the 1954 Supreme Court Decision, and I honestly think that there has been ample time for the discountinuance of all indecent undemocratic practices such as I have mentioned in this letter. I see no reason why the proper agency of the Federal Government would not now be justified in enforcing its own law just as the appropriate Federal Agency does the Income Tax Law. If the payment of Income Tax were left to the conscience and discretion of individuals, I am sure the Government would soon become bankrupt. It

is the same way with other areas. As long as the Federal Government remains spineless and continues to leave racial matters to the conscience and discretion of individuals and localities, injustices will continue to prevail and the United States will continue to be ridiculed as a big hypocrite among nations.

I hope the Interstate Commerce Commission and all other agencies combined will start and effect a real revolution not merely to do something in name or for the purpose of saving face or impressing the Russians or some one else, but to bring about real Democracy. I think tearing down White and Negro signs, tearing out partitions in bus and train stations will be an effective beginning.

I trust this letter will be considered seriously, because far too long have we played the hypocrite. Far too long has the Federal Government been too lax in these matters, acting like the spineless, infamous Pilate. I hope Attorney General Kennedy will probed into discriminatory practices as deeply and as vigorously as he has probed into the very bottom of price fixing by the big corporations.

Sin and mal-practices should be fought in all areas. If we are to ever be the Democracy we profess to be, we must practice true Democratic Principles.

Respectfully yours,

Osceola A. Dawson

(Miss) Osceola A. Dawson

OAD/jaw
CC
Mr. Clarence Mitchel
President Kennedy
Attorney General Kennedy
Courier Journal
Louisville Defender
Sun Democrat
Senator John Cooper
Attorney Dearing
Mr. Roy Wilkins
Civil Rights Commission

STUDENT RESOURCE: WORKSHEET II

DOCUMENT ANALYSIS

I. Type of Document: (Check one)

____ Newspaper	____ Map	____ Advertisement
____ Letter	____ Telegram	____ Congressional Record
____ Patent	____ Press Release	____ Census Report
____ Memorandum	____ Report	____ Other

II. Unique Physical Qualities of the Document:

____ Interesting Letterhead	____ Notations
____ Handwritten	____ "Received" Stamp
____ Typed	____ Other
____ Seals	

III. Date(s) of document: _____

Position (Title): _____

IV Author (or creator) of the document: _____

V. For that audience was the document written? _____

VI. Document information: (There are many possible ways to answer A-E.)

A. List three things the author said that you think are important:

1. _____

2. _____

3. _____

STUDENT RESOURCE: WORKSHEET II

B. Why do you think this document was written?

_____

_____

C. What evidence in the document helped you to know why it was written? Quote from the document.

_____

_____

D. List **two** things the document tells you about life in the United States at the time it was written.

_____

_____

E. Write a question to the author which is left unanswered by the document.

_____

_____

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THE KENNEDY SPEECH
(Primary Source)

Good evening, my fellow citizens:

The orders of the Court in the case of Meredith vs. Fair are beginning to be carried out. Mr. James Meredith is now in residence on the campus of the University of Missisippi. Hexxxiii hexxxx

nation, ~~it is to be hoped~~, ~~can now~~ return to their normal activities with full confidence in the integrity of American law.

This is as it should be. For our nation is founded on the principle that observance of the law is the eternal safeguard of liberty -- and defiance of the law is the surest path to tyranny. The law which we obey includes the final rulings of our courts as well as the enactments of our legislative bodies. Even among law-abiding men, few laws are universally loved -- but they are uniformly respected and not resisted.

3

Americans are free, in short, to disagree with the law -- but not to disobey it. For in a government of laws, and not of men, no man -- however prominent or powerful -- and no mob -- however unruly or boisterous -- is entitled to defy a court of law. If this country should ever reach the point where any man or group of men, by force or threat of force, could long defy the commands of our courts and Constitution, then no law would stand free from doubt, no judge would be sure of his writ and no citizen would be safe from his neighbors.

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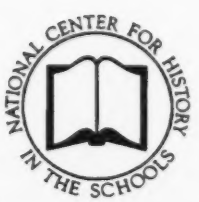
NATIONAL CENTER FOR HISTORY IN THE SCHOOLS